

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission

From: Planning Division

Date: May 12, 2004

Re: **CONDITIONAL USE PERMITS (CUP):** 316 Lakewood Street, 426 Lakewood Street, 191 Vernon Street, 225 Vernon Street, 235 Vernon Street, 246 Vernon Street, 302 Vernon Street, 310 Vernon Street, 311 Vernon Street, 331 Vernon Street, 348 Vernon Street

I. PETITIONER

Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

Representative: Mr. John Lewis, Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

II. LOCATION

The subject properties are tracts of approximately .1 to .2 acres located at 316 Lakewood Street, 426 Lakewood Street, 191 Vernon Street, 225 Vernon Street, 235 Vernon Street, 246 Vernon Street, 302 Vernon Street, 310 Vernon Street, 311 Vernon Street, 331 Vernon Street, and 348 Vernon Street.

Property Owners: Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501, Mr. Robert Enzinna, 17 Laurel Lane, Lynchburg, VA 24502 (316 Lakewood Street).

III. PURPOSE

The purpose of the petition is to allow the conversion of existing structures to student housing for four (4) to eight (8) students in an R-2, Single-Family Residential District.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan which designates this area for Low Density Residential uses.
- Petition agrees with the Zoning Ordinance in that Colleges are a permitted uses in an R-2, Single-Family Residential District upon approval of a CUP by the City Council.

The Planning Division recommends approval of the CUP petitions.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* designates these areas for Low Density Residential uses. These areas may be developed for institutional uses compatible in scale with single-family residential homes. The conversion of the existing structures to student housing will not change the outside appearance of the buildings or the character of the neighborhood.
2. **Zoning.** The subject properties were annexed into the City in 1926. The existing R-2, Single-Family Residential District zoning was established in 1978 with the adoption of the current Zoning Ordinance.

3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the development of the property as proposed.
4. **Previous Actions.** The following items in the area have required City Council approval:
 - On September 25, 1984, the City Council approved the CUP petition of Lynchburg College for the construction of an Alumni house at 1501 Lakeside Drive.
 - On July 12, 1988, the City Council approved the CUP petition of Lynchburg College to allow office space at 500 Westwood Avenue.
 - On July 12, 1988, the City Council approved the CUP petition of Lynchburg College to allow office space at 185 Vernon Street.
 - On August 9, 1988, the City Council approved the CUP petition of Lynchburg College to allow office space at 339 College Street.
 - On August 9, 1988, the City Council approved the CUP petition of Lynchburg College to allow student housing at 349 College Street.
 - On February 14, 1989, the City Council approved the CUP petition of Lynchburg College to allow office space at 505 Brevard Street.
 - On August 8, 1989, the City Council approved the CUP petition of Lynchburg College to use existing residences for student housing at 1127, 1129 McCausland Street, 319, 321, 333, 349 College Street, 500, 503 Westwood Avenue, 500, 518 Brevard Street, and 185 Vernon Street.
 - On December 12, 1995, the City Council approved the CUP petition of Lynchburg College to allow student housing at 511 Brevard Street.
 - On May 12, 1998, the City Council approved the CUP petition of Lynchburg College to allow student housing at 512 Brevard Street.
 - On June 9, 1998, the City Council approved the CUP petition of Lynchburg College to allow the construction of a gymnasium and physical plan storage facility at 1501 Lakeside Drive.
 - On August 11, 1998, the City Council approved the CUP petition of Lynchburg College to use an existing residence for student housing at 215 Vernon Street.
 - On July 13, 1999, the City Council approved the CUP petition of Lynchburg College to allow student housing and office space at 341 College Street, 504 Brevard Street, and 245 Vernon Street.
 - On March 14, 2000, the City Council approved the CUP petition of Lynchburg College to amend the Master Development plan at 1501 Lakeside Drive.
 - On June 13, 2000, the City Council approved the CUP petition of Lynchburg Christian Academy to allow temporary modular classrooms at 624 Thomas Road.
 - On June 12, 2001, the City Council approved the CUP petition of Lynchburg College to allow student housing at 511 Brevard Street, 312 Lakewood Street, 420 Lakewood Street, 425 Lakewood Street and 504 Westwood Avenue.

5. **Site Description.** The subject properties are bounded either by institutional uses (College owned property) or single-family residences.
6. **Proposed Use of Property.** The purpose of the conditional use permits is to allow the use of the existing structures for student housing.
 - 191 Vernon Street – 4 students
 - 225 Vernon Street – 6 students
 - 235 Vernon Street – 7 students
 - 246 Vernon Street – 6 students
 - 302 Vernon Street – 8 students
 - 310 Vernon Street – 8 students
 - 311 Vernon Street – 6 students
 - 331 Vernon Street – 6 students
 - 348 Vernon Street – 8 students
 - 316 Lakewood Street – 5 students
 - 426 Lakewood Street – 8 students
7. **Traffic and Parking.** The City Traffic Engineer had no comments of concern regarding the conversion of the existing structures to student housing. Off-street parking will be available for all residences.
8. **Stormwater Management.** A stormwater management plan / erosion and sediment control plan will not be required because disturbed areas will not exceed 1,000 square feet. Any additional stormwater from the new gravel parking areas will be mitigated by the addition of landscaped areas.
9. **Impact.** Lynchburg College was founded on April 17, 1903. The College recently celebrated its centennial, and is now working on its strategic plans for the next ten (10) years. The plans call for an increase in enrollment from 2,010 students to 2,500 students. It is projected by the College that a total of 1,800 students will be in need of student housing. The College currently has student housing for 1,500 students and is seeking approval of the conditional use permit to use existing residences for student housing for between four (4) to eight (8) students for a total of seventy-two (72) new student housing units.

The College currently requires that “traditional” aged students live in College-owned housing until their senior year. During the senior year a student may live off campus, however it must be in an area zoned R-4 or R-5. These requirements instituted by the College have eliminated the ability of the students to rent single-family dwellings not under ownership of the College. This has eliminated the usual area of concern of the potential for students to generate noise or cause other disruptive activities.

The College has obtained CUP’s for other student housing identical to these requests in the past. The College’s presence and accountability for their students has been a benefit to the community. The proposed uses are considered to be compatible with the institutional and residential character of the area.

10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on April 20, 2004. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.
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VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Lynchburg College for Conditional Use Permits at 316 Lakewood Street, 426 Lakewood Street, 191 Vernon Street, 225 Vernon Street, 235 Vernon Street, 246 Vernon Street, 302 Vernon Street, 310 Vernon Street, 311 Vernon Street, 331 Vernon Street, and 348 Vernon Street subject to the following conditions:

1. The properties shall be used in substantial compliance with the individual site plans for student housing at:
 - 191 Vernon Street – 4 students
 - 225 Vernon Street – 6 students
 - 235 Vernon Street – 7 students
 - 246 Vernon Street – 6 students
 - 302 Vernon Street – 8 students
 - 310 Vernon Street – 8 students
 - 311 Vernon Street – 6 students
 - 331 Vernon Street – 6 students
 - 348 Vernon Street – 8 students
 - 316 Lakewood Street – 5 students
 - 426 Lakewood Street – 8 students
2. Any exterior lighting will be glare shielded to prevent direct illumination beyond the property line.
3. All residences shall comply with the building code as determined by the Building Official.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney

Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Ms. Judith C. Wiegand, Senior Planner
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner
Mr. John C. Lewis, Lynchburg College, Representative

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
(see attached map)
- 2. Vicinity Proposed Land Use**
(see attached map)
- 3. Site Plan**
(see attached site plans)
- 4. Narrative**
(see attached narrative)